

11 CIV. 4047UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUmar Ali

(In the space above enter the full name(s) of the plaintiff(s))

-against-

COMPLAINTunder the
Civil Rights Act, 42 U.S.C. § 1983
(Prisoner Complaint)Jury Trial: ☒ Yes ☐ No
(check one)Kathleen Muvley
Dora Schiro
Hildy J. Simmons
Department of Correction
Captin Steward-Bowden (1225)
Captin Dunbar (212)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name Umar AliID # 241-10-07470Current Institution George B. Vlenbo CenterAddress 09-09 Hazen Street
East Elmhurst, 11370

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Kathleen Muvley Shield # _____
 Where Currently Employed Warden of G.R.V.C
 Address 09-09 Hazen St
East Elmhurst, 11370

Defendant No. 2 Name Jora Schiro Shield # _____
 Where Currently Employed Department of Corrections
 Address 75-20 Astoria Blvd
East Elmhurst, 11370

Defendant No. 3 Name Hildy J. Simmons Shield # _____
 Where Currently Employed Board of Corrections
 Address 51 Chambers Street
Ny, Ny,

Defendant No. 4 Name Steward-Bowden Shield # 1225
 Where Currently Employed George R. Vlenro Center
 Address 09-09 Hazen St
East Elmhurst, 11370

Defendant No. 5 Name Dunbar Shield # 212
 Where Currently Employed George R. Vlenro Center
 Address 09-09 Hazen St
East Elmhurst, 11370

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur? Rikers Island
George R. Vlenro Center

B. Where in the institution did the events giving rise to your claim(s) occur? Rikers Island
George R. Vlenro Center 11A 11B and 13A housing
Areas.

C. What date and approximate time did the events giving rise to your claim(s) occur? The
events of my claim occurred from December 20,
2010 up until today's date.

D. Facts: From December 30th of 2010 to today's date I have been denied my first amendments rights, free exercise clause, and establishment clause as a muslim. I am entitled to religious freedom under the US Constitution, to be free to exercise religious worship without discrimination or preference. I filed numerous grievances, wrote complaints, or spoke with all attached defendant regarding my denial of muslim services on Friday (Jumma) which is mandatory for muslims. The alleged reason for denial is because I am in disciplinary housing. O.B.C. is also a disciplinary housing and they allow Jumma Friday. G.R.U.C. allowed Ramadan for muslims and there wasn't any legitimate Penological issues. The same Precautions taken to conduct Ramadan can be taken to assure Jumma Friday every Friday at G.R.U.C. Jumma Friday and Ramadan is equally important. When reporting my religious issues to supervisors they say my claim isn't relevant of the religious leaders of many religion speak with and conduct worship with inmates, due to supervisor authority, all except a Imam (Muslim leader). Supervisors have many different leaders specifically assigned to G.R.U.C. disciplinary housing, all except Imam (Muslim leader). I feel they are favoring all religions except Islam, and giving special treatment to other religious groups. Steward-Bowden and Dunbar both told me muslims don't need to gather "we're terrorist". This is untrue I just would like to practice my religion.

What happened to you?

Was this?

Was anyone else involved?

Who else saw what happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. Extreme Pain and Suffering
mentally.

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?
Yes ☒ No ☐

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Rikers Island George R. Vlenro Center

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?
 Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?
 Yes ☒ No ☐ Do Not Know ☐

If YES, which claim(s)? Religious Right, First Admendment

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?
 Yes ☒ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☐

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?
Board of Corrections, Department of Corrections, George R. Vlenro

1. Which claim(s) in this complaint did you grieve? I grieved ALL
Claims in this Complaint.

2. What was the result, if any? NO results.

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. Complaints to Warden of
George R. Vlenro Center, Complaints to Board of
Corrections, Department of Corrections, Prisoners
Rights Projects and an Article 78

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but informed any officials of your claim, state who you

informed, when and how, and their response, if any: I informed Captain Steward-Bowden, Captain Dunbar, Ms. Francise (social worker) Mental Health Staff and numerous other employees during the entire duration of this Violation of Rights.

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. My Family Called Board of Correction, Inspector General, Department of Correction. I ~~also~~ filed an article 78 and wrote numerous complaints.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). I am suing the attached defendants and the Department of Correction for a violation of my First Amendments, Personal Liberty, Pain and Suffering. I am suing the attached defendants in their individual and official capacity. I'm requesting money damages of 11 million, injunctive and declaratory relief. All the attached defendants acted with deliberate indifference. All supervisor became aware of a violation of my right, yet failed to remedy the violation. Prison officials also gave special treatment to certain religious groups and preferred other religions over Islam.

VI. Previous lawsuits.

A. Have you filed other lawsuits in state or federal court dealing with the same facts, circumstances, or claims?

Yes ☐ No ☒

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ☐ No ☐

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment? Yes ☐ No ☒

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ☐ No ☐

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____


I declare under penalty of perjury that the foregoing is true and correct.

Signed this 20th day of May, 2011.

Signature of Plaintiff

Inmate Number

Institution Address


241-10-07470
George R. Vienro
09-09 Hazen St
East, Elmhurst, 11370

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 20th day of May, 2011, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff

